

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS-ST. JOHN

EVARISTO RODRIGUEZ & JULIO  
BECERRIL

Plaintiffs,

v.

SPARTAN CONCRETE PRODUCTS, LLC.

Defendant.

Civil No. 2012/29

Action for Damages

**JURY TRIAL DEMANDED**

**ANSWER TO COMPLAINT**

Comes now, the defendant, by counsel, and answers the complaint as follows:

1. This allegation calls for a legal conclusion and does not require a response, but to the extent it does, it is denied this Court has jurisdiction over this matter.
2. Admit.
3. Admit.
4. Admit.
5. Admit this defendant was hired as truck driver, though the date of hire is denied.
6. Admit this defendant was hired as truck driver, though the date of hire is denied.
7. Deny as worded.
8. Deny as worded.
9. This allegation calls for a legal conclusion and does not require a response.
10. Deny.
11. Deny.
12. Deny.

**Answer to Complaint**

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13. Admit they were terminated due to a reduction in force as stated in the letters sent to each of them, but deny this discharge was done to fraudulently cover up any wrongful discharge.
14. Deny.
15. Deny.
16. Deny.
17. As alleged.
18. Deny.
19. Deny.
20. As alleged.
21. Deny.
22. Deny.
23. As alleged.
24. Deny.
25. Deny.
26. As alleged.
27. Deny.
28. Deny.
29. As alleged.
30. Deny.
31. Deny.
32. As alleged.
33. Deny.
34. Deny.

**Answer to Complaint**

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35. As alleged.

36. Deny.

37. Deny.

**Affirmative Defenses**

1. The counts in the complaint fail to state a cause of action upon which relief can be granted.
2. The plaintiffs failed to exhaust their administrative remedies as provided by law.

Wherefore, the defendant respectfully requests that the complaint be dismissed with prejudice with an award of fees and costs to the defendant.

Dated: April 10, 2012

/s/ Joel H. Holt  
Attorney for Defendant  
2132 Company Street  
Christiansted, VI 00820  
holtvi@aol.com  
(340) 773-8709

**CERTIFICATE OF SERVICE**

I HEREBY certify that on this 10<sup>th</sup> Day of April, 2012, I electronically filed the foregoing with the Clerk of the Court using the DC/ECF system, which will send a notification of such filing (NEF) to the following:

Lee J. Rohn, Esq.  
1101 King Street  
Christiansted, VI 00820

/s/Joel H. Holt